

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**UNITED STATES OF AMERICA**

**-vs-**

**Case No. 2:05-cr-152 (9) JLG**

**FRANK ACEVEDO  
aka Juan M. Martinez-Guzman**

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**REPORT AND RECOMMENDATION  
CONCERNING PLEA OF GUILTY**

The Defendant, by consent, has appeared before me pursuant to Rule 11, F.R.Cr.P. and has entered a plea of guilty to Count six (6) and seven (7) of the Indictment and has admitted to the forfeiture counts contained in Count eleven (11), twelve (12) and fifteen (15) of the indictment. After examining the Defendant under oath concerning each of the subjects mentioned in Rule 11, I determine that the guilty plea is knowingly and voluntary and that the offenses charged are supported by an independent basis in fact containing each of the essential elements of such offense. I therefore RECOMMEND that the plea agreement and the plea of guilty and admissions to forfeiture be accepted and that the Defendant be adjudged guilty and sentenced accordingly. The Defendant shall remain in custody of the U.S. Marshal pending sentencing.

Date: April 11, 2006

/s/ Terence P. Kemp  
TERENCE P. KEMP  
UNITED STATES MAGISTRATE JUDGE

**NOTICE**

Failure to file written objections to this Report and Recommendation within ten (10) days from the date of its service shall bar an aggrieved party from attacking such Report and Recommendation before the assigned United States District Judge. 28 U.S.C. Section 636(b)(1)(B).